

**TIPPECANOE COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING  
MAY 19, 2003**

The Tippecanoe County Commissioners met on Monday, May 19, 2003 at 10:00 A.M. in the Tippecanoe Room in the County Office Building. Commissioners present were: President KD Benson, Vice President Ruth E. Shedd, and Member John L. Knochel. Also present were: Auditor Robert A. Plantenga, Commissioners' Assistant Jennifer Weston, County Attorney David W. Luhman, and Secretary Pauline E. Rohr.

President Benson called the meeting to order and led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

- Commissioner Shedd moved to approve the minutes of the May 5, 2003 Regular Meeting as distributed, seconded by Commissioner Knochel; motion carried.

**APPROVAL OF ACCOUNTS PAYABLE VOUCHERS**

- Upon the recommendation of Commissioners' Assistant Weston, Commissioner Knochel moved to approve the Accounts Payable Vouchers as submitted for the periods ending May 9, 2003, May 16, 2003, and May 19, 2003, seconded by Commissioner Shedd; motion carried.

**HIGHWAY: Executive Director Mark Albers**

**OPEN BIDS: 2003 Bridge Rehabilitation Project**

Mr. Albers announced the bridges included in the project:

|      |  |       |                                       |
|------|--|-------|---------------------------------------|
| #3   | CR 600 E over Halstead Ditch               | #197  | CR 1200 E over E branch of Wea Creek  |
| #6   | CR 100 E over McLaughlin Ditch             | #198  | CR 1200 E over E branch Big Wea Creek |
| #25  | CR 175 W over Loftland Ditch               | #200  | CR 1000 S over Lauramie Creek         |
| #134 | CR 775 E over Hoffman Ditch                | #502  | CR 350 W over Indiana Creek           |
| #135 | CR 775 E over middle fork of Wildcat Creek | #U507 | 18 <sup>th</sup> St over Ferry St.    |

Mr. Albers explained that Bridge #520 will be mostly funded by Gunstra, the developer of Blackthorn SD, since this is a roadway that will serve the subdivision.

Attorney Luhman opened and read the bids:

Atlas Excavating, Inc. \$850,000.00 Bid Bond  
Jack Isom Construction \$860,956.89 Bid Bond

- Upon Attorney Luhman's recommendation, Commissioner Shedd moved to take the bids under advisement, seconded by Commissioner Knochel; motion carried.

Mr. Albers noted both bids are below the Engineer's estimate of \$921,625.

**SUPPLEMENTAL AGREEMENT NO. 1: Butler, Fairman, & Seufert, Inc.**

An agreement with Butler, Fairman, and Seufert, Inc. was approved December 17, 2001 for survey and design services for CR 550 E from McCarty Lane to SR 26. Supplemental Agreement No. 1 adds design services to redesign the storm drainage system to accommodate the drainage from SR 26 to the Berlowitz Detention Basin at the corner of Staple Dr. and CR 500 E. INDOT, has agreed to pay the cost of \$8,300 which will increase the total amount to \$78,000 for a not to exceed amount of \$86,300.

- Commissioner Shedd moved to approve Supplemental Agreement No. 1 for design services on CR 550 E,

seconded by Commissioner Knochel; motion carried.

**WARRANTY DEED: CR 550 E Project from McCarty Lane north to SR 26**

Key #112-03000-0203: Parcel #6:

A 30' ½ width R-O-W; A part of the NW ¼ of Sec 30, Twp 23 N, R 3 W in Perry Twp from Richard S. & Cathy Ann Grammer.

- Commissioner Shedd moved to approve the Warranty Deed for the CR 550 E project, seconded by Commissioner Knochel; motion carried.

**WARRANTY DEED: CR 200 N Project**

Key #112-00700-0369: Parcel #33:

A part of the SE ¼ of the SW ¼ and part of the SW ¼ of the SE ¼ of Sec 7, Twp 23 N, R 3 W in Perry Twp from Wayne E. Ade, Donald L. Ade, Larry F. Ade, & Joyce A. Schurr.

**WARRANTY DEED: CR 200 N Project  
PARTIAL MORTGAGE RELEASE**

Key #114-03706-0016: Parcel #7:

A part of lot numbered 50 in Kings Ridge SD, Part 3, Sec 1 & replat of lots 14 & 20 in Part 2 a part of the NW ¼ of Sec 18, Twp 23 N, R 3 W in Perry Twp from Michael E. & Martha J. Trautmann.

Key #114-03700-0209: Parcel #5:

A part of the NW ¼ of Sec 18, Twp 23 N, R 3 W in Perry Twp from Wendell L. & Thursa Whitaker.

**WARRANTY DEED: CR 200 N Project: Parcel 16  
PARTIAL MORTGAGE RELEASE  
TEMPORARY GRANT OF RIGHT-OF-WAY: Parcel 16A**

Key #114-03700-0220: Parcel #16 & #16A:

A part of the E ½ of the NW ¼ of Sec 18, Twp 23 N, R 3 W in Perry Twp from Leonard L. Gray.

- Commissioner Shedd moved to approve the Warranty Deeds, Partial Mortgage Releases, and Temporary Grant of Right-of-Way for the CR 200 N Project as presented, seconded by Commissioner Knochel; motion carried.

**CONSTRUCTION MAINTENANCE BOND: Atlas Excavating, Inc.**

- Commissioner Shedd moved to approve 3 year Construction Maintenance Bond #400SV2465 for Atlas Excavating, Inc. in the amount of \$5,000 for two entrances to the Harrison Highlands SD off CR 600 N and CR 50 W, seconded by Commissioner Knochel; motion carried.

**CONTINUATION CERTIFICATES: Vectren & Indiana-American Water**

- Commissioner Shedd moved to approve one (1) year Continuation Certificate attached to Bond #27S103350590-07 in the amount of \$5,000.00 for Indiana Gas Co., Inc. d/b/a Vectren Energy Delivery of Indiana, Inc. and one (1) year Continuation Certificate attached to Bond #103287696 in the amount of \$5,000 for Indiana-American Water Co., seconded by Commissioner Knochel; motion carried.

**CERTIFICATES OF INSURANCE**

- ◆ Indiana Farmers Mutual Ins. Co for Dynamic Builders
- ◆ Erie Insurance Group for Byers Construction, Dennis L Byers D/B/A
- ◆ Manufactured Buildings Ins. Co. Ltd for Patriot Homes, Inc. and all its subsidiaries & associated companies
- ◆ Cincinnati Insurance Company, Cincinnati Casualty Co for On Trac Inc & Blitz Guilders
- ◆ Ohio Casualty Group, Everest Indemnity Ins Co for Harriss Drilling Services, Inc
- ◆ Grange Mutual Casualty Com for Steven L Mulligan

**ROAD RELINQUISHMENT REQUEST UPDATE: Town of Otterbein**

President Benson asked for an update on the Town of Otterbein's request to the County to relinquish CR 500 N and the right-of-way between US 52 and the town's boundary. Mr. Albers reported that the Town of Otterbein wants control over the development of the area with water and sewer without having to come to the Commissioners. He said he has no problem relinquishing the maintenance of this road and right-of-way, but he renewed his suggestion made at the last meeting that they include CR 950 W from CR 500 N to US 52.

Attorney Luhman said he will investigate the required procedure by the County and the Town Board.

***ADULT DRUG COURT IMPLEMENTATION GRANT: Judge Greg Donat***

Judge Donat reported he and Grant Coordinator Jessica Rebmann are asking the Commissioners to sign off on the application for a three year grant for an Adult Therapeutic Drug Court. Magistrate Wayne Fountain will oversee the pilot program that will begin with approximately six (6) individuals who will be in the program for at least one (1) year. Judge Donat explained that a judge is involved in the treatment and meets with the individual every week because studies show the success rate for treatment is three times more successful when a judge is involved.

The grant will fund 100% of the salary of a new full time Case Manager for all three years. This person will be responsible for organization of the court, grant payments, and reports under the supervision of Court Services. For the first and second years, the grant will fund approximately 20% of the salaries for the rest of the Drug Court Team who are current employees. These will include a Deputy Prosecutor, a Public Defender, a Probation Officer, a Surveillance Officer, and a Judge. The grant will provide 100% funding for all salaries in the third year.

- Commissioner Shedd moved to authorize Jessica Rebmann to act as the Commissioners' official representative and to submit the grant application, seconded by Commissioner Knochel; motion carried.

***FEDERAL EQUITABLE SHARING AGREEMENT: Prosecutor Jerry Bean***

This Agreement between the Prosecutor and the Federal Government is for a share of seized assets and monies. Mr. Bean said the County gets 80% of the total amount seized.

- Commissioner Shedd moved to authorize the President to sign the Federal Equitable Sharing Agreement with an attached list of Task Force member departments, seconded by Commissioner Shedd; motion carried.

***SERVICES AGREEMENT: UPP Business Systems, LLC,; MITS Executive Director Diane Hawkins***

Mrs. Hawkins requested approval of this agreement with UPP Business Systems, LLC for the services of a Programmer with COBOL expertise to work from a remote site. The agreement is effective from May 27, 2003 through December 31, 2003. This individual previously contracted with the County's MITS Department.

- Commissioner Shedd moved to approve the Services Agreement with UPP Business Systems, LLC, seconded by Commissioner Knochel; motion carried.

***STARS & STRIPES COMMITTEE/VIP PARKING REQUEST: Jim Buescher and Bob Jeffares***

Due to construction at Purdue University, the Stars & Stripes Fourth of July Celebration will be held at Riehle Plaza for the second year. Representing the Stars & Stripes Committee, Jim Buescher requested exclusive use of the County Parking Garage from 3:00 P.M. to 11:00 P.M. on Friday July 4, 2003 for VIP parking. He said proceeds from VIP parking is a key component of their fund raising for the event along with financial support from both cities. They plan to pre-sell 250 to 300 tickets at \$20.00 each to help reach their goal of \$36,000 to cover expenses. As the County's contribution, he asked the Commissioners to waive their share of the proceeds. Entry to the garage will be from Columbia Street and exit onto South Street. The committee will provide a ticket taker at the Columbia Street entrance.

Commissioner Shedd thought it was a good idea to give them exclusive use of the garage for VIP parking because it belongs to the citizens. She favored waiving the County's share of the proceeds.

Commissioner Knochel also agreed to waive the County's fee. He said this is something the community looks forward to and this is one way the County can help continue the event.

Mr. Buescher confirmed that the committee purchases one day event liability insurance and he was asked to deliver the Certificate of Insurance to Attorney Luhman.

President Benson thought there should be an agreement regarding clean-up of the garage after the event. She wondered if the committee could provide approximately 50 VIP complimentary spaces for County employees who regularly pay to park in the garage and wish to attend the event. He said they can easily print and deliver any number of special passes the Commissioners desire for the County's use only.

- Commissioner Shedd moved to approve the request for the exclusive use of the County Parking Garage by the Stars & Stripes Committee on July 4<sup>th</sup> and the waiver of County fees along with an agreement with respect to clean-up, listing the County as a sponsor, and reservation of spaces for County employees, seconded by Commissioner Knochel; motion carried.

***AWARD AMBULANCE BID***

Tippecanoe Emergency Ambulance Service Director Scott Wood recommended awarding the bid for two (2) ambulances to Wheeled Coach Industries, the low bidder. The bids were as follows:

Wheeled Coach \$173,030  
TransRight, Inc \$182,880  
RSVP \$185,800

- Commissioner Shedd moved to award the bid for two ambulances to Wheeled Coach, Industries in the amount of \$173,030, seconded by Commissioner Knochel; motion carried.

Mr. Wood announced May 18<sup>th</sup> through May 24<sup>th</sup> is National Emergency Medical Services Week.

***RESOLUTION 2003-17-CM: Approving Form of Lease for E-911***

This resolution will appear in its entirety in the Ordinance and Resolution Book in the County Auditor's Office.

Attorney Luhman explained the County requested lease/purchase financing proposals from various financial institutions to pay for the upgrade to the E-911 radio system that will have a total cost of approximately \$3.5 million. E-911 has approximately \$1.1 million available to make a cash down payment and Purdue University will pay approximately \$600,000. Financing proposals for a period of 10 years for the balance of approximately \$2.4 million were received from Union Planters Bank, Sand Ridge Bank, Indiana Bond Bank, Public Finance, and Bank One. Based on the following proposals that were under 4% as of this morning, Attorney Luhman recommended accepting the lease financing proposal of 3.29% from Bank One.

Indiana Bond Bank 3.82%  
 Public Finance 3.39%  
 Bank One 3.29%

Approval of Resolution 2003-17-CM gives initial approval of the draft form of the lease from Bank One Leasing Corporation for a period of 10 years at an annual rate of 3/29%. It also sets a Public Hearing regarding the lease during a joint meeting of the County Council and County Commissioners at 9:00 A.M., Monday, June 2, 2003 in the Tippecanoe Room. At that time, the Sheriff will submit a petition with signatures of 50 Tippecanoe County residents who are in support.

Sheriff Anderson said the amount of the upgrade is substantial but all emergency agencies as well the Lafayette and Tippecanoe School Corporations use the system. Installing a second antenna at Purdue University will provide greater coverage and a backup if the antenna located at Murdock Park becomes incapacitated. This is also the same system used by the State. The E-911 fees are receipts from telephone user fees.

President Benson noted we will be purchasing a Multi Site Astro Simulcast 800 Mhz/Trunked Public Safety Radio System and asked Frank Galvan from Motorola to define Trunked. Mr. Galvan said trunking is a smart way to utilize the phone system. They will also integrate additional securities into the system with digital technology to enhance the audio quality throughout the County. The addition of a second antenna located at Purdue will enhance system capabilities.

- Commissioner Shedd moved to approve Resolution 2003-17-CM, seconded by Commissioner Knochel; motion carried.

***LEASE AGREEMENT: State Bioterrorism Office at Health Dept.***

Mrs. Weston explained the State returned the Lease Agreement with two changes. In Section 3 titled Consideration, the paragraphs have been put into outline form A, B, & C. On the signature page, a statement that it is approved as to form and legality by the Attorney General was added.

- Commissioner Shedd moved to approve the Lease Agreement with the State Health Department for the Bioterrorism Program, seconded by Commissioner Knochel; motion carried.

***FORM OF AGREEMENT FOR INDEPENDENT CONTRACT: Recorder***

If the form of this agreement is approved by the Commissioners, the County Recorder will be able to contract for technical assistance services with respect to work on the preservation of public records. The State allows the payment for contracts but not salaries from the Recorder's Record Perpetuation Fund.

- Commissioner Shedd moved to approve the form of the Agreement for Independent Contract for Preservation of Public Records, seconded by Commissioner Knochel; motion carried.

***APPOINTMENTS: Common Wage Board***

- Commissioner Shedd moved to approve Common Wage Board appointments of Roy Meeks for the City of West Lafayette and Karl Rutherford for various projects at Purdue University, seconded by Commissioner Knochel; motion carried.

***POOR RELIEF DETERMINATION: Dawn Gerrard vs Fairfield Township Trustee***

Commissioner Shedd announced the Commissioners found in favor of Dawn Gerrard who appealed her denial by the Fairfield Township Trustee for energy assistance in the amount of \$611.15 on April 16, 2003.

***NEW BUSINESS***

**REQUEST TO SEARCH COURTHOUSE GROUNDS**

President Benson asked Attorney Luhman for an opinion regarding an individual's request for permission to search the Courthouse grounds for lost coins with a metal detector. Attorney Luhman advised contacting the Maintenance and Park Departments before giving permission for someone to dig up the grounds. He recommended against allowing permission for this activity because everyone should have equal use of public property, and it would have to be open to everyone on the same terms.

***CONTRACT: CELLULAR PHONE SERVICE: County Extension Office***

Mrs. Weston reported the Extension Office wants to enter into a contract with Cellular Express for two (2) cellular phones. She believes this is the same plan as the Commissioners', but there was insufficient time to get the contract here by meeting time.

- Commissioner Shedd moved to approve the contract with Cellular Express for two cellular phones for the Extension Office subject to review by the Attorney to determine if it is the same as one in place with other County departments, seconded by Commissioner Knochel; motion carried.

***REPORTS***

Reports from Legal Aid and Tippecanoe Villa are on file in the Commissioners' Office for review.

***PUBLIC COMMENT***

None.

***ADJOURNMENT***

- Commissioner Shedd moved to adjourn, seconded by Commissioner Knochel; motion carried.

**BOARD OF COMMISSIONERS OF  
THE COUNTY OF TIPPECANOE**

\_\_\_\_\_  
KD Benson, President

\_\_\_\_\_  
Ruth E. Shedd, Vice President

\_\_\_\_\_  
John L. Knochel, Member

**ATTEST:**

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Robert A. Plantenga, Auditor